

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ERIC L. JEFFRIES,

Plaintiff,

VS.

CENTRE LIFE INSURANCE COMPANY,
et al.,

Defendants.

Case No. C-1-02-351

(Judge Beckwith)
(Magistrate Judge Hogan)

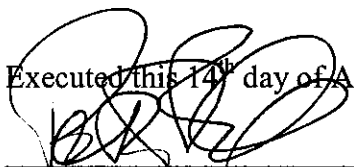
DECLARATION OF
PETER M. BURRELL IN
SUPPORT OF DEFENDANT'S
MEMORANDUM IN OPPOSITION
TO MOTION TO COMPEL
FINANCIAL INFORMATION

I, Peter M. Burrell, declare:

- 1) During the week of March 29, 2004, I received copies of financial records from my client's in-house counsel. These documents included Centre Life's annual financial statements from 1999-2003. I also received hundreds of documents retrieved from the back-up tape search as well as DMS financial documents.
- 2) Because of numerous time commitments, I did not take the time to review each and every document I had received. Indeed, I instructed my paralegal to bates number the documents and arrange for copies to be made.
- 3) At no time did I undertake to remove any pages from any of these financial documents. In fact, it was only when Plaintiff's counsel made me aware that several pages were missing from the 2003 Centre Life annual report that I reviewed these documents. When I did review that document, I noticed that, not only were the pages Plaintiff identified missing, but also that there were other pages missing from this document. (34-35, 45-46)

- 4) It is obvious that when this document was copied a number of pages were inadvertently missed. There was never any intent to conceal these documents.
- 5) I declare under penalty of perjury that the foregoing is true and correct.

Executed this 14th day of April, 2004



Peter M. Burrell

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been filed with the Court by electronic means on this 14th day of April 2004. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/Peter M. Burrell

Peter M. Burrell, Esq.

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